



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER (RESIDENTIAL  
PROPERTY)**

**Case reference** : **BIR/00CN/LCP/2022/0001**

**Properties** : **Chichester Court, 18 Manor Road,  
Sutton Coldfield, West Midlands, B73  
6EG**

**Applicant** : **The Halliard Property Company Ltd**

**Representative** : **Wallace LLP Solicitors**

**Respondent** : **Chichester Court (Sutton Coldfield)  
RTM Company Ltd**

**Representative** : **Mr Anthony Haycock**

**Type of application** : **Application for costs in respect of a no  
fault Right to Manage application under  
Chapter 1 of Part 2 of the Commonhold  
and Leasehold Reform Act 2002 (“the  
Act”)**

**Tribunal member** : **Judge C Goodall  
Mr V Ward BSc Hons FRICS**

**Date and place of  
hearing** : **Paper determination**

**Date of decision** : **11 July 2022**

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**DECISION**

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## **Background**

1. This is an application for costs on the part of the Applicant following the service of a Claim Notice dated 18 March 2021 by the Respondent. The Notice sought the right to manage Chichester Court, a 15 flat block of flats in Sutton Coldfield.
2. The Applicant served a counter-notice dated 27 April 2021 denying that the Respondent had acquired the Right to Manage. The reason for denying the Right to Manage set out in the counter-notice was:

“... by reason of section 1(1) of Schedule 6 of the [Act], that on 18 March 2021 [the Respondent] was not entitled to acquire the right to manage the premises specified in the Claim Notice because the non-residential part of the premises (the basement) exceeds 25 per cent of the internal floor area of the premises”
3. The Respondent then applied to this Tribunal for a determination of whether it had acquired the Right to Manage, which was received on 23 June 2021. Directions were issued on 30 June 2021. In accordance with those directions detailed submissions were provided by each party. The application was set down for hearing to be determined on 23 November 2021, but on 8 November 2021, the Respondent purported to withdraw its application. The Tribunal’s consent to withdraw was given on 10 December 2021, following an exchange of emails concerning the costs consequences of withdrawal.
4. Sections 88 and 89 of the Act provide that the Respondent must pay the Applicant’s reasonable costs in the event of withdrawal. This is not disputed.
5. A schedule of the Applicant’s costs has been provided together with a detailed submission explaining them. The Respondent (acting through one of the leaseholders in Chichester Court) has challenged some of those costs.
6. Both parties are content for the costs to be determined on the basis of the written submissions identified and without a hearing.
7. The Tribunal convened to determine the application on 27 June 2022. This decision is the outcome of the Tribunal’s deliberations.

## **Law**

8. The Respondent is liable only for the Applicant’s “reasonable” costs “in consequence of a claim notice given by the [Respondent] in relation to the premises – section 88(1) of the Act.
9. If Tribunal proceedings are brought, an RTM company is liable for the Landlords costs if the case is dismissed. A withdrawal is deemed to be a dismissal so that there is liability for costs upon withdrawal. Under s89(3)

of the Act, each person who is or has been a member of the RTM company is also liable, jointly and severally, with the RTM company, for the costs.

10. Section 88(2) of the Act provides that:

“Any costs incurred by such a person in respect of professional services rendered to him by another are to be regarded as reasonable only if and to the extent that costs in respect of such services might reasonably be expected to have been incurred by him if the circumstances had been such that he was personally liable for all such costs.”

### **The costs**

11. The Applicant has claimed a total sum of £19,706.40 in costs, comprising:

Solicitors costs	13,254.00
VAT	2,650.80
Land registry fees	108.00
VAT	21.60
Counsel’s fees	1,800.00
VAT	360.00
Surveyors fees	1,260.00
VAT	252.00

12. The Respondent has accepted and paid the Land Registry Fees and the Surveyors fees. The Tribunal has a copy of the surveyor’s invoice which charged for “taking your instructions, visiting site, carrying out inspection of the above premises and producing report on floor areas of various uses, together with sketch layout plans”. The Respondent is clearly liable for these elements of the costs claim, and they have already been paid. We will say no more about them.

13. The costs in issue are therefore the solicitor’s costs and counsel’s fees. The breakdown of the solicitor’s costs is shown in the Appendix to this decision. The work was mainly carried out by an assistant solicitor at a charge of £385.00 per hour, rising to £395.00 per hour in October 2021. A small proportion of the work was carried out by a partner at a rate of £625.00 per hour.

### **The submissions**

14. The Applicant has provided a detailed submission explaining the rationale for incurring the costs claimed and responding to the detailed objections raised by the Respondent. The points made will be discussed in the discussion below.

15. The Respondent has submitted a Statement and a copy of an email dated 14 February 2022 from its former solicitor to its representative in which the solicitors advise:
  - a. That the hourly rates charged would be considered reasonable;
  - b. That most of the work done was necessary and therefore the charges are reasonable;
  - c. There are, though, 25 specific objections to individual costs items, and there is one more generalised objection to the amount of time spent communicating with the Applicant.
16. The Respondent's statement (by Mr Haycock) confirms that some of the costs claimed are considered to be unreasonable as set out in the email of 14 February 2022. Counsel's fees, incurred in September 2021, are also challenged as the scheduled hearing for 23 November 2021 was cancelled on 5 November. His argument is that Counsel could not have been required to spend very much time giving consideration to the case. It is implicit in this challenge that Mr Haycock considered that counsel's fee was in connection with the forthcoming hearing.

## **Discussion**

17. Against the legal tests set out above, the Tribunal has considered the objections to the Applicant's costs set out in the email of 14 February 2022 referred to above and decided whether to allow or disallow the items listed in the email.
18. The Tribunal accepts the hourly rate claimed for the assistant solicitor who managed this case of £385.00 per hour, rising to £395.00 in October 2021. For items taking less than an hour, the Tribunal accepts the very common practice of accounting on the basis of 10 six-minute units an hour. Reference to a "unit" is therefore to one six-minute period of time, costing one tenth of the hourly rate. The Respondent raised no objection to this approach and this rate.
19. As to the individual challenges to specific items, we comment in the sub-paragraphs below. The numbering system in this paragraph follows the numbering of the Respondent's points in paragraph 3 of the 14 February email.
  - a. 24 March 2021. The claim is 4 units for obtaining google earth and google maps images. The rationale is that a fee earner would be required to correctly locate the property on Google Earth and Google Maps, to obtain different images, download and save them.

We do not agree. The location and configuration of Chichester Court was well known to the Applicant, who engaged a surveyor to prepare a report. Plans would also have been available from the Land Registry. The solicitor might have benefitted from a broad overview

of the site and its configuration, but the time taken to search for that view should not have been more than 1 unit of time in our view. We allow one unit.

- b. 24 March 2021. The claim is for 2 units to “review reference to the Porter’s flat in leases and consider TUPE action”. The rationale is that if there was an employee with a flat, the claim for costs under section 88 would include reasonable costs of dealing with the consequences of there being an employee at Chichester Court.

In our view, it was far too early in the proceedings for issues of the quantum of compensation to be explored. The issue would only become relevant if the Right to Manage were acquired. We disallow this cost.

- c. 14 April 2021. The claim is for 3 units on reviewing the current legal position on management of appurtenant property. This was because Chichester Court has a car park directly in front of the premises and grounds at the rear, with additional surrounding communal grounds. It would be necessary to confirm the areas over which the right to manage was sought.

The Tribunal disallows this cost. Firstly, time considering the leases had already been incurred on 24 March 2021, and secondly because no explanation has been provided as to why identifying the existence and nature of appurtenant property had a bearing on whether the right to manage ought to be admitted or opposed.

- d. 16 April 2021. The claim is for 4 units for “reviewing position regarding service charges in leases and communal areas”. The Applicant explained that there are 16 blocks on the estate covering 213 flats in total. It was necessary for consideration to be given as to how the service charge would operate should management be transferred.

The Tribunal disallows this cost. The law at the time on management of multi-block sites was set out in *Gala Unity Ltd v Ariadne Road RTM Co Ltd*, which was reasonably long-standing. There were therefore no new issues of principle to consider. Our view is that it was not necessary, and thus not reasonable, at this time, to consider matters that would only be relevant should the Right to Manage be acquired. We disallow this item.

- e. 26 April 2021. The claim is for preparing alternative basement footprint plans. 3 units are claimed. The rationale is that it was necessary to prepare plans to seek confirmation from the Applicant of the areas making up the basement. These plans were said to be referred to by the Applicant in order for them to provide instructions

(presumably to the surveyor) as to the precise make-up of the basement area of the premises.

The Respondent's case is that this is not solicitor's work. In fact, the Applicant instructed professional surveyors to advise. As identified above the scope of the surveyor's work included reporting on floor areas and producing sketch plans.

We think reviewing plans is work the solicitor could reasonably be expected to do in order to advise its client on the consequences of the plans, but in our view the amount of time claimed for it is excessive. It is clear that the surveyors prepared plans, and there is an apparent duplication in this work. We reduce this item to allow one unit.

- f. 27 April 2021. The claim is for reviewing photographs of the rear of the premises and the basement access. One unit was claimed. This work was said to be necessary in order to make a determination of the extent of the non-residential basement.

We consider this element to be reasonable and we allow it. It is clear the proportion of the premises that was non-residential was a key issue and it was necessary in our view for the Applicant's solicitors to give the question careful consideration. Only one unit was claimed, and it is difficult to accept that the solicitor should not be able to charge for a short period of time for consideration of information that passes her desk that relates to the case.

- g. 4 August 2021. The claim is for 3 units for reviewing up-to date case law on non-residential areas. The Respondent objected on the grounds that case law review is the role of a barrister, not a solicitor. We respectfully disagree; a solicitor, particularly one specialising in a particular area, should be familiar with case law. However, the point is whether a general review of case law is chargeable work to a particular client. In our view, a solicitor should not charge for general reviews of case law. The cost of up-dating a solicitors knowledge of the law is part of the general overheads of a firm and is included within the charge out rate for the work that is then undertaken to apply the law to a specific case. On the other hand, if it is necessary to recall a specific case in order to apply it to a process in the case, that would be work which is chargeable to a specific matter. We therefore allow one unit for recalling and refreshing the solicitor's knowledge of a specific case in order to apply it to the matter under consideration.
- h. 4 August 2021. The claim is for 2 units for reviewing Land Registry official copies. The objection is that this item is duplication of the work undertaken on 24 March 2021 when one hour's time was charged for reviewing official copies, plans and leases for the 15 flats at the premises.

The Applicant's response was that this was a specific review of the plans for each flat in terms of their placement in relation to the back staircases and other communal areas at the premises, rather than a general review of the plans.

The Tribunal notes that there was specific mention of the communal areas and staircases in the Applicant's statement dated 13 August 2021, and specific mention of the colouring of detailed plans by the solicitor. It seems to us legitimate for the solicitor, in the course of preparing the statement, to review the detailed plans in order to properly set out her client's case in the statement, and the time for doing so is not excessive. We allow the item.

- i. 5 August 2021. The claim is for 6 units to consider "residential use" definition and current case law. The rationale is that the definition of "residential use" was integral to a consideration of the Respondent's entitlement to acquire the right to manage and it is referred to in the Applicant's statement dated 13 August 2021. The Respondent's case is that reviewing case law is not chargeable work.

This is the same issue as was discussed in paragraph 19(g) above where we reduced a cost item for reviewing case law. We take the same view in relation to this item and reduce it to one unit. We note that case law relating to residential use is indeed referred to in the Applicant's statement, but the fee for drafting that statement was listed separately and is dealt with below. Any cost for including reference to up to date case law in the clients document is included within that item.

- j. 11 August 2021. The claim is for 5 units for reviewing further information, instructions, and case law. The challenge is to reviewing case law, not to the other elements of this item. The Applicant has not provided any further explanation of this item, save to refer to item i. above.

As we have established, our view is that generally reviewing case law is not chargeable except is so far as the case law reviewed needed to be identified and applied in documents or advice in the case, and for previous items we have reduced the time allowed for it. It is reasonable to suppose that the description of this item was not wholly concerned with reviewing case law, but we have no better breakdown of the time spent. Doing the best we can with the information available, we reduce this item by 2 units, so allow 3 units.

- k. 11 August 2021. The claim is for calculation of amended percentages for useage. 5 units are claimed. The objection is on the basis that this is not solicitors work. The Applicant's rationale is that this work was

properly undertaken in connection with the preparation and lodgement of the Applicant's statement on 13 August 2021.

Our view is that at this point in the case, the Applicant's solicitor had responsibility for preparation and submission of the Applicant's statement and was under some time pressure to complete this work. From hers and her clients perspective, it may well have been more preferable for a surveyor to carry out these calculations, which would have generated an additional fee. However, the solicitor obviously considered herself capable of carrying out the calculation and in our view it was reasonable for her to do so. We allow this item. It in fact probably saved costs.

- l. 11 August 2021. The claim is for 46 units (4 hours 36 minutes) to prepare the Applicants statement in reply. The objection is that this amount of time is excessive.

The statement in reply is 10 pages of text addressing the detailed elements of the Applicant's objection to acquisition of the Right to Manage. It provides detailed information about the calculations of the non-residential proportion of the premises, and detailed legal submissions on the Applicant's case. Documents relating to the case comprising around 120 pages are exhibited to it.

Our view is that preparation of a complex and important document such as this statement is time consuming, and we are not surprised at the amount of time claimed. We consider this element of the costs claim to be reasonable and we allow it.

- m. 12 August 2021. The claim is for 12 units to collate and paginate the exhibit to the Applicants statement. The objection is to the fee earner grade used for this work. The Applicants solicitor's rationale is that the work should have been done by the solicitor who prepared the statement as she had knowledge of the matter and a lower grade fee earner would have taken more time.

Although lengthy, the exhibit only included some plans and photographs, and eight further documents, including the Notice, the Counter-Notice, the lease, and four case reports. It was not of itself a complex exhibit. Our view is that a lower grade fee-earner should have been able to collate and paginate it with relative ease within one hour and 12 minutes. We reduce the hourly rate to £185 per hour, which we consider to be a reasonable hourly rate for a competent paralegal.

- n. 13 August 2021. The claim is for 5 units for "reply and collate for lodgement". The objection is on the basis of the fee earner rate being excessive for this work. The Applicant makes the same argument as was made in paragraph m. above.



Our view is as per our decision on point m. above. This work does not seem to us to justify a solicitor charging £385.00 per hour. We allow the time claimed but reduce the hourly rate to £185.00 per hour.

- o. 10 September 2021. The claim is for 2 units for obtaining and reviewing case law. The rationale is that it was necessary to consider the decision in *Marine Court (St Leonards on Sea) Freeholders Ltd v Rother District Investments Ltd* [2008] 1 EGLR 39 when providing a further statement of case dated 24 September 2021.

This work came about because on 10 September 2021 the Respondent's solicitors provided a further statement and surveyors report claiming that balconies should be included in the residential floor areas and that Room 3 in the basement should be excluded. The consequent adjustment of the percentage of non-residential use would result in a percentage figure below 25%, meaning the Right to Manage should be granted.

The Tribunal does not dispute that the Marine Court case is relevant. However, it was at this point that the Applicant decided to instruct counsel to advise. The Tribunal has allowed the significant fee that counsel has claimed (see below), and the Respondent has not challenged the Applicants costs in relation to the preparation of a brief to counsel, consideration of his advice, and the cost of then preparing a statement in reply dated 25 September 2021, which refers to and exhibits the Marine Court case.

In our view, this item, though small, was attended to by counsel, and it would in effect be duplication for this item to also be claimed through the solicitor's bill. We disallow it.

- p. 13 September 2021. The claim is for 1 unit for reviewing additional photographs of room 3 and the balconies. The objection is that reviewing photographs is not the work of a solicitor.

The Tribunal allows this item. Only 6 minutes is claimed and the photographs were relevant to the issue about which the solicitor had to prepare a statement in response. It was in our view necessary and reasonable for her to review the evidence about which she had to draft a statement.

- q. 14 September 2021. The claim is for 2 units for reviewing further photographs. The arguments on behalf of both parties are the same as for item p. above.

We are a little surprised to see that the time claimed is 12 minutes, in addition to the claim in item p. above. That involves 18 minutes in reviewing photographs. There are 12 photographs exhibited to the

Applicant's statement of 24 September 2021, all of which are of the balconies or of Room 3. It is immediately obvious what they show and we reduce the item to 6 minutes as we do not consider it would take more than a moment to see and assimilate the content of the photographs.

- r. 14 September 2021. The claim is for 1 unit for undertaking internal area calculations regarding the balconies and the basement. The rationale is that it was appropriate to advise the Applicant on the differences in percentage of the basement area. The objection is that this was not solicitor's work.

Our view is the same as in point k. above. Whilst calculation of percentages is normally the role of an accountant or mathematician, solicitors frequently have to exercise skills outside of pure law in order to explain a client's case in a statement or other court document. It would be disproportionate to put the work out to another professional where it is in fact well within the solicitor's competence. We allow this item.

- s. 24 September 2021. The claim is for 2 units for collating and paginating the exhibits to the Applicant's further statement dated 24 September 2021. The objection is to the work being carried out by a solicitor at a charge of £385.00 per hour.

As per items m. and n. above, we agree that this work could have been carried out by a fee-earner at lower cost. We allow the item, but reduce the hourly rate to £185.00 per hour.

- t. 8 November 2021. The claim is for 1 unit of time to email the Tribunal. We note that this took place following the Respondent's decision to withdraw. The amount of work is not challenged, but this work was carried out by a partner in the absence of the solicitor who had handled the case throughout. The rationale is that the work is technical and complex. The objection is to the grade of fee earner used.

We agree that this work does not justify use of a partner. It involved corresponding with the Tribunal on the question of the impact of withdrawal on the Applicant's right to costs, and informing the client and counsel of the withdrawal of the claim. We reduce the rate for the work from £625.00 per hour to £395.00 per hour, the rate claimed for the assistant solicitor who handled the rest of the case.

- u. 8 November 2021. The claim is for 1 unit at partners rate to email counsels clerk. The objection is that this is not work that justifies a partner rate. As per the previous item, we agree, and allow the charge at the solicitor rate only.

- v. 10 November 2021. The charge is for 5 units at partner rate for reviewing case law re withdrawal of claim notice & FTT rules. The stated objection is that reviewing case law is not chargeable work. It is clearly implied from points t., u., and w. that the Respondent also challenges the level of fee earner used.

To be consistent, we determine that this work was not partner level work and such sum as we allow should only be charged at the solicitor rate of £395.00 per hour.

We have also consistently reduced items for reviewing case law. In this situation though, bearing in mind that the item is followed by time spent writing a letter, for which only 1 unit is charged, it seems more likely that the fee earner was assembling the information and marshalling the argument in order to be able to write the letter. We allow this item at the solicitor rate.

- w. 10 November 2021. The charge is for 1 unit to write a letter to the Tribunal, charged at partner rate. For the reasons given above, we agree that this work does not justify charging at partner rate. We allow the item but at solicitor rate of £395.00 per hour.
- x. 2 December 2021. The charge is again 1 unit at partner rate for a letter to the Tribunal. For the same reason as w. above, we allow the item, but at solicitor rate.
- y. Excessive time communicating with the client. This is a general objection to the number of emails and telephone calls to the client over the life of the case. There do not appear to have been any meetings. The total recorded time on this activity is said by the Respondent to be 6.5 hours, though the Tribunal has counted 6.8 hours. The Respondent suggests two hours would have been sufficient.

Clearly the Applicant must provide instructions to its solicitor, and be informed of progress in the case. However, our view is that this case was not reliant upon significant interactions with or information from the client. Professional surveyors were instructed and most documentation, such as leases and plans was externally available or could have been provided by the surveyors. The issues were technical issues, which were best determined by professional advisors. Our view is that the amount of time reasonably spent by the solicitors on communications with the Applicant does appear to be excessive and should be reduced by 2 hours.

- 20. The Respondent has not challenged the amount spent on counsel's fees, save to argue that if the fees were a brief fee for the hearing on 23 November, they should not be allowed as the application was withdrawn. We are satisfied that counsel was instructed to advise on merits in September 2021,

following receipt of the Respondent's statement, rather than in preparation for the hearing, and that there were issues that justified seeking advice from counsel. We therefore allow these fees in the sum claimed of £1,800.00.

21. The costs claim includes VAT on both the solicitors and counsel's fees. The Tribunal raised this issue with the parties, as if the Applicant was able to recover VAT, the costs award would have been limited to the costs net of VAT. However, we are satisfied that VAT is irrecoverable by the Applicant as it was work in connection with residential premises, which being an exempt supply does not qualify to be set off against output tax. VAT is therefore payable by the Respondent on the costs allowed in this decision.

### Summary

22. The following table shows the amounts by which the Applicant's solicitors fees are reduced as a result of the decisions in paragraph 19a to x above, using the sub-paragraph numbering system in that paragraph.

Table 1 – summary of fee reductions

Item	Sum claimed (£)	Sum allowed (£)
a	154.00	38.50
b	77.00	0.00
c	115.50	0.00
d	154.00	0.00
e	115.50	38.50
f	38.50	38.50
g	115.50	38.50
h	77.00	77.00
i	231.00	38.50
j	192.50	115.50
k	192.50	192.50
l	1,771.00	1,771.00
m	462.00	222.00
n	192.50	92.50
o	77.00	0.00
p	38.50	38.50
q	77.00	38.50
r	38.50	38.50
s	77.00	37.00
t	62.50	39.50
u	62.50	39.50
v	312.50	197.50
w	62.50	39.50
x	62.50	39.50
Totals	4,759.00	3,171.00

23. The reduction in costs allowed as against the sums claimed under the disputed items a. to x. in the Respondent's 14 February 2022 email is

£1,588.00. In addition, we have deducted 2 hours for excessive time communicating with the client at £385.00 per hour. The total reduction is thus £2,358.00.

### **Decision**

24. The solicitor's costs payable by the Respondent under sections 88 and 89 of the Act are £10,896.00 (being the sum claimed less £2,358.00).
25. Counsel's fees of £1,800.00 are also payable.
26. VAT is payable on both items at 20% - total £2,539.20.
27. The total sum payable (in addition to those items already paid) is therefore £15,235.20.
28. Each person who is or has been a member of the RTM company is also liable, jointly and severally, with the Respondent, for the costs

### **Appeal**

29. Any appeal against this decision must be made to the Upper Tribunal (Lands Chamber). Prior to making such an appeal the party appealing must apply, in writing, to this Tribunal for permission to appeal within 28 days of the date of issue of this decision (or, if applicable, within 28 days of any decision on a review or application to set aside) identifying the decision to which the appeal relates, stating the grounds on which that party intends to rely in the appeal, and stating the result sought by the party making the application.

Judge C Goodall  
Chair  
First-tier Tribunal (Property Chamber)

## Appendix Schedule of Solicitors Costs

Date	Activity	Description	Fee-earner	Hours	Rate	Amount
24/03/2021	Document	Review claim notice	Assistant	0.3	£385.00	£115.50
24/03/2021	Document	Undertake investigations to determine if the property is self-contained	Assistant	0.3	£385.00	£115.50
24/03/2021	Document	Obtain Google Map & Google Earth images	Assistant	0.4	£385.00	£154.00
24/03/2021	Document	Obtain freehold office copy entries - register of title and title plan	Assistant	0.1	£385.00	£38.50
24/03/2021	Document	Obtain and review RTM Company details	Assistant	0.3	£385.00	£115.50
24/03/2021	Document	Review office copies, plans and leases for the 15 flats at the property	Assistant	1	£385.00	£385.00
24/03/2021	Document	Confirm details of participating tenants	Assistant	0.2	£385.00	£77.00
24/03/2021	Document	Review reference to the Porter's flat in leases & consider TUPE action	Assistant	0.2	£385.00	£77.00
24/03/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
24/03/2021	Letter	Letter to RTM Company's solicitor	Assistant	0.1	£385.00	£38.50
14/04/2021	Document	Review Register of Members	Assistant	0.1	£385.00	£38.50
14/04/2021	Document	Review Affidavit & Notices of Invitation	Assistant	0.8	£385.00	£308.00
14/04/2021	Email	Emails to client	Assistant	0.5	£385.00	£192.50
14/04/2021	Document	Review current legal position on management of appurtenant property	Assistant	0.3	£385.00	£115.50
15/04/2021	Email	Emails to client	Assistant	0.2	£385.00	£77.00
16/04/2021	Document	Review estate plan	Assistant	0.1	£385.00	£38.50
16/04/2021	Document	Review position regarding service charge in leases and communal areas	Assistant	0.4	£385.00	£154.00
16/04/2021	Email	Emails to client	Assistant	0.3	£385.00	£115.50
16/04/2021	Letter	Letter to RTM Company's solicitor	Assistant	0.1	£385.00	£38.50
21/04/2021	Document	Review plan for freehold title	Assistant	0.1	£385.00	£38.50
21/04/2021	Email	Email to RTM Company's solicitor	Assistant	0.1	£385.00	£38.50
26/04/2021	Document	Reviewing lease plans and footprints of flats (excluding common areas)	Assistant	0.4	£385.00	£154.00
26/04/2021	Document	Prepare alternative basement footprint plans	Assistant	0.3	£385.00	£115.50
26/04/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
27/04/2021	Email	Emails to client	Assistant	0.3	£385.00	£115.50

27/04/2021	Call	Calls to client	Assistant	0.2	£385.00	£77.00
27/04/2021	Document	Review further photographs of the rear area of the building and the basement access	Assistant	0.1	£385.00	£38.50
27/04/2021	Document	Prepare Counter-Notice	Assistant	0.3	£385.00	£115.50
27/04/2021	Document	Prepare ltr to RTM Company	Assistant	0.1	£385.00	£38.50
28/04/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
10/05/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
27/05/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
02/06/2021	Email	Review email from RTM Co's solicitors and report	Assistant	0.2	£385.00	£77.00
02/06/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
10/06/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
21/06/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
23/06/2021	Document	Review Property Chamber application	Assistant	0.1	£385.00	£38.50
23/06/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
01/07/2021	Document	Review Property Chamber Directions & diarise	Assistant	0.2	£385.00	£77.00
01/07/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
23/07/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
29/07/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
29/07/2021	Call	Call with client	Assistant	0.2	£385.00	£77.00
04/08/2021	Document	Review Applicant's Bundle	Assistant	0.2	£385.00	£77.00
04/08/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
04/08/2021	Email	Email to RTM Company's solicitors	Assistant	0.1	£385.00	£38.50
04/08/2021	Email	Further emails to client	Assistant	0.1	£385.00	£38.50
04/08/2021	Email	Further email to RTM Company's solicitors	Assistant	0.1	£385.00	£38.50
04/08/2021	Letter	Letter to Property Chamber	Assistant	0.1	£385.00	£38.50
04/08/2021	Document	Review up-to-date case law re non-residential areas	Assistant	0.3	£385.00	£115.50
04/08/2021	Document	Review Land Registry official copies	Assistant	0.2	£385.00	£77.00
04/08/2021	Document	Review all lease plans	Assistant	0.1	£385.00	£38.50
04/08/2021	Document	Prepare draft Landlord's Statement in Reply	Assistant	1	£385.00	£385.00
05/08/2021	Document	Review report from surveyor & photos	Assistant	1	£385.00	£385.00
05/08/2021	Email	Emails to client	Assistant	0.6	£385.00	£231.00
05/08/2021	Document	Review references to basement and usage in leases	Assistant	0.2	£385.00	£77.00

05/08/2021	Document	Consider 'residential use' definition and current case law	Assistant	0.6	£385.00	£231.00
10/08/2021	Document	Review further instructions from client regarding use of basement units	Assistant	0.4	£385.00	£154.00
10/08/2021	Document	Review photographs of Unit 5	Assistant	0.1	£385.00	£38.50
10/08/2021	Email	Email to surveyor	Assistant	0.1	£385.00	£38.50
10/08/2021	Document	Review meter area and consider common part	Assistant	0.1	£385.00	£38.50
10/08/2021	Email	Further emails to surveyor	Assistant	0.1	£385.00	£38.50
11/08/2021	Document	Review further information, instructions & case law	Assistant	0.5	£385.00	£192.50
11/08/2021	Document	Calculation of amended percentages for usage	Assistant	0.5	£385.00	£192.50
11/08/2021	Document	Further preparing Landlord's Statement in Reply	Assistant	4.6	£385.00	£1,771.00
12/08/2021	Documents	Collating & paginating Exhibit document	Assistant	1.2	£385.00	£462.00
12/08/2021	Email	Email to client	Assistant	0.2	£385.00	£77.00
13/08/2021	Document	Additions to Landlord's Statement in Reply & collate for lodgement	Assistant	0.5	£385.00	£192.50
13/08/2021	Email	Emails to client	Assistant	0.4	£385.00	£154.00
13/08/2021	Letter	Letter/email to Property Chamber	Assistant	0.1	£385.00	£38.50
13/08/2021	Letter	Letter/email to RTM Company's solicitors	Assistant	0.1	£385.00	£38.50
13/08/2021	Email	Further emails to client	Assistant	0.2	£385.00	£77.00
13/08/2021	Email	Further emails to RTM Company's solicitors	Assistant	0.2	£385.00	£77.00
01/09/2021	Email	Email to RTM Company's solicitors	Assistant	0.1	£385.00	£38.50
01/09/2021	Email	Email to client	Assistant	0.1	£385.00	£38.50
01/09/2021	Email	Email to Counsel's clerk	Assistant	0.1	£385.00	£38.50
01/09/2021	Document	Review correspondence from Property Chamber	Assistant	0.1	£385.00	£38.50
06/09/2021	Document	Review counsel availability	Assistant	0.1	£385.00	£38.50
06/09/2021	Email	Email to client	Assistant	0.2	£385.00	£77.00
06/09/2021	Email	Email to surveyor	Assistant	0.1	£385.00	£38.50
10/09/2021	Document	Review RTM Company's Reply	Assistant	0.2	£385.00	£77.00
10/09/2021	Document	Consider surveyor report and reference to balconies	Assistant	0.2	£385.00	£77.00
10/09/2021	Document	Obtain and review case law	Assistant	0.2	£385.00	£77.00
10/09/2021	Discussion	Discussion with Senior Partner	Assistant	0.2	£385.00	£77.00
13/09/2021	Email	Email to surveyor	Assistant	0.2	£385.00	£77.00
13/09/2021	Email	Email to client	Assistant	0.2	£385.00	£77.00



13/09/2021	Email	Further emails to client	Assistant	0.4	£385.00	£154.00
13/09/2021	Email	Further emails to surveyor	Assistant	0.2	£385.00	£77.00
13/09/2021	Document	Review additional photographs of basement room 3 and balconies	Assistant	0.1	£385.00	£38.50
13/09/2021	Email	Email to counsel's clerk	Assistant	0.1	£385.00	£38.50
14/09/2021	Document	Review further photos	Assistant	0.2	£385.00	£77.00
14/09/2021	Letter	Review draft letter from surveyor	Assistant	0.2	£385.00	£77.00
14/09/2021	Email	Email to client	Assistant	0.2	£385.00	£77.00
14/09/2021	Document	Undertake internal areas calculations regarding balconies and basement room 3	Assistant	0.1	£385.00	£38.50
14/09/2021	Email	Finalise email to client	Assistant	0.1	£385.00	£38.50
14/09/2021	Email	Emails with counsel's clerk	Assistant	0.2	£385.00	£77.00
16/09/2021	Document	Prepare Brief to Counsel	Assistant	0.7	£385.00	£269.50
21/09/2021	Email	Email to counsel's clerk	Assistant	0.1	£385.00	£38.50
21/09/2021	Document	Review Opinion from Counsel	Assistant	0.3	£385.00	£115.50
21/09/2021	Email	Prepare email to client	Assistant	0.1	£385.00	£38.50
22/09/2021	Document	Prepare draft further submissions	Assistant	0.6	£385.00	£231.00
23/09/2021	Email	Additions to email to client	Assistant	0.1	£385.00	£38.50
24/09/2021	Email	Emails to client	Assistant	0.4	£385.00	£154.00
24/09/2021	Document	Collate and paginate exhibit documents	Assistant	0.2	£385.00	£77.00
24/09/2021	Document	Finalise further submissions	Assistant	0.8	£385.00	£308.00
24/09/2021	Email	Email to Property Chamber	Assistant	0.1	£385.00	£38.50
24/09/2021	Email	Email to counsel's clerk	Assistant	0.1	£385.00	£38.50
27/09/2021	Email	Email to counsel's clerk	Assistant	0.1	£385.00	£38.50
27/09/2021	Email	Email to surveyor	Assistant	0.1	£385.00	£38.50
27/09/2021	Email	Email to counsel	Assistant	0.2	£385.00	£77.00
28/09/2021	Email	Email to counsel	Assistant	0.1	£385.00	£38.50
28/09/2021	Email	Email to RTM Company's solicitors	Assistant	0.1	£385.00	£38.50
28/09/2021	Email	Email to Property Chamber	Assistant	0.1	£385.00	£38.50
30/09/2021	Email	Email to counsel	Assistant	0.1	£385.00	£38.50
30/09/2021	Call	Call with counsel	Assistant	0.1	£385.00	£38.50
06/10/2021	Email	Email to RTM Company's solicitors	Assistant	0.1	£395.00	£39.50
13/10/2021	Email	Email to counsel's clerk	Assistant	0.1	£395.00	£39.50
13/10/2021	Email	Email to Property Chamber	Assistant	0.1	£395.00	£39.50
08/11/2021	Email	Email to Property Chamber	Partner	0.1	£625.00	£62.50
08/11/2021	Email	Email to counsel's clerk	Partner	0.1	£625.00	£62.50
08/11/2021	Call	Call with client	Partner	0.2	£625.00	£125.00
08/11/2021	Email	Email to client	Partner	0.2	£625.00	£125.00

10/11/2021	Discussion	Discussion with Wallace partner	Assistant	0.1	£395.00	£39.50
10/11/2021	Email	Email to Property Chamber	Assistant	0.1	£395.00	£39.50
10/11/2021	Document	Review case law re withdrawal of claim notice & FTT Rules	Partner	0.5	£625.00	£312.50
10/11/2021	Letter	Letter to Property Chamber	Partner	0.1	£625.00	£62.50
02/12/2021	Letter	Letter to Property Chamber	Partner	0.1	£625.00	£62.50
14/12/2021	Document	Review consent to withdrawal from Property Chamber	Assistant	0.1	£395.00	£39.50
						£13,254.00